

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD JEFFERSON Jr.,

Plaintiff,

v.

KATHY ALVES, *et al.*,

Defendants.

Case No. C06-5479RJB

ORDER GRANTING MOTION TO
EXTEND TIME TO RESPOND

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the court is plaintiff's motion asking for a 90-day extension of time to respond to defendant's motion for summary judgment (Dkt. # 49). Defendants oppose the motion (Dkt # 51).

Plaintiff has been moved from the Washington State Department of Corrections prison system to the Pierce County Jail. He has been separated from his files. He asks that defendant's motion for summary judgment be moved back 90 days until August of 2007 (Dkt. # 49).

Defendants oppose the motion and argue plaintiff has not shown what if any steps he has

1 taken to obtain his files (Dkt. # 51). Defendants also argue they are entitled to summary judgment
2 (Dkt. # 51). Plaintiff indicates he has documents that will show summary judgment is not proper and
3 this case should proceed to trial (Dkt. # 49).

4 The court **GRANTS** plaintiff's motion. Defendants motion for summary judgment, (Dkt. #
5 40 to 43), will be noted for **August 31, 2007**. Plaintiff's response is due in court by **August 24,**
6 **2007**. Any reply from defendants must be filed and served on or before **August 31, 2007**.

7 The Clerk of Court is directed to send a copy of this Order to plaintiff and to counsel for
8 defendants and to renote defendants motion for summary judgment, (Dkt. # 40 to 43), for **August**
9 **31, 2007**.

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11 DATED this 21 day of May, 2007.

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13 /S/ J. Kelley Arnold
14 J. Kelley Arnold
15 United States Magistrate Judge
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